

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

MONTALETO C. McKISSICK,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. CIV-07-1315-M
	)	
CHRIS HENDERSHOT, <i>et al</i> ,	)	
	)	
Defendants.	)	

**ORDER**

On July 8, 2008, United States Magistrate Judge Robert E. Bacharach issued a Report and Recommendation in this action brought pursuant to 42 U.S.C. § 1983, seeking monetary damages and declaratory and injunctive relief for alleged constitutional violations committed by defendants. The Magistrate Judge recommends that the Court should grant summary judgment to defendants on the federal claims based on timeliness, and decline supplemental jurisdiction over the state law claims. The parties were advised of their right to object to the Report and Recommendation by July 28, 2008. A review of the file reveals no objection has been filed.

Upon de novo review, the Court:

- (1) ADOPTS the Report and Recommendation issued by the Magistrate Judge on July 8, 2008;
- (2) GRANTS summary judgment to defendants on the federal claims based on timeliness;
- (3) DECLINES supplemental jurisdiction over the state law claims.

This Order effectively terminates this action in this Court.

**IT IS SO ORDERED this 8<sup>th</sup> day of August, 2008.**

  
VICKI MILES-LAGRANGE  
UNITED STATES DISTRICT JUDGE